

Appl. No. 10/618,399
Amdt Dated Mar. 24, 2005
Reply to Office Action of Feb. 15, 2005

REMARKS

Applicant appreciates the allowabilities of claims 1-2.

Claims 3, 5, and 10-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Mitchell. The Examiner's rejections are attended to and traversed below.

Regarding claim 3, the base plate (emphasis added) defines a plurality of polygonal vents therein. Each of the vents has a plurality of sidewalls extending upwardly from the base plate on respective sides thereof. Applicant can not agree with Examiner's allegation that the Mitchell also discloses these features because Examiner neglects some facts in the Mitchell.

- (I) Element (24) of Mitchell is **NOT a plate BUT a frame** which has a perimeter (26) defining a generally polygonal geometry sized to boarder the margins of a similarly dimensioned vent opening (column 5, lines 42-45 and 51-67). The frame (24) of Mitchell does NOT define a plurality of polygonal vents (54) therein. The alleged vents (54) are NOT defined in/by the frame (24) but formed in/by a corrugated sheet of foil that is supported on the frame (24) (clearly shown in Fig. 3).
- (II) The only element that can be called a vent defined in the frame (24), is a single (Not plural) opening that has a periphery (36b). However, such a vent does NOT have sidewalls extending upwardly from the base plate on respective sides (36b) of the vent. In other words, In

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Mitchell if there is any meaningful side wall belonging to the corresponding vent as defined in the claim, that side wall is a part of the planar media (20) and extends of the planar media (20), NOT a part of the frame (24) thus being unable to meet the claimed limitation of **“each of the vents (defined in the base plate) having a plurality of sidewalls extending upwardly from the base plate on respective sides thereof”**. Because the Examiner did not directly indicate the specific element/position as the alleged the side walls of EACH vent by providing an illustrative drawings, Applicant can not help but reply with the reasonable beliefs as argued above. If the Examiner refers to vertical portions of the frame (24) as the side walls, such vertical portions do NOT extend from the respective sides of the vent, thus being unable to meet the claimed limitations.

(III) Understandably, the frame (24) as shown in Mitchell essentially defines a central large opening for receiving the planar media (20) having a plurality of vents therein, while is different from the claimed plate which requires the plurality vents directly formed/defined in/by the plate itself with the corresponding side walls extending from the base plate on the respective sides thereof. Mitchell essentially uses a planar media (20) having therein a plurality of vents/cells (54) located in the large opening of the frame (24).

(IV) In brief, Mitchell and the instant invention use the different approaches to obtain the EMI-attenuating air ventilation device wherein the instant application only needs to use **“one piece”**

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structure to obtain the desired result while Mitchell needs to use "two-piece" structure to perform the similar function. Economically, the instant invention is more advantageous than Mitchell.

Mitchell lacks the aforementioned features of the invention, and thus can NOT anticipate the invention as claimed in claim 3. Reconsideration and allowable of claim 3 and the associated dependent claims 5-7 and 10-12 are respectfully requested.

In fact, Applicant can NOT fully understand the rejection basis to claims 11 and 12 because in Mitchell Applicant can not see the side walls alternately arranged for each vent for claim 11 and the EMI shielding for each vent is achieved by its own side wall and the neighboring side wall for claim 12. Applicant will be appreciate if the Examiner can provide an illustrative drawing derived from the figures of Mitchell to point out where the alleged side walls are located. Please be noted that sharing a common side wall, which is located between two neighboring vents and extends from only one of those two neighboring vents as depicted in claim 12, is one of the important features of the instant invention. Applicant can not see any portion in Mitchell reflects this feature.

Regarding claim 13, the EMI-attenuating air ventilation panel comprises a plurality of polygonal vents defined therein forming a vent array, each of the vents has at least two sidewalls integrally extending upwardly from the panel. Besides the reasons set forth above for claim 3, Mitchell does NOT disclose a vent

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array defined in the ventilation frame (24) but located in a large opening of the frame (24). Furthermore, Mitchell does NOT disclose the vent has sidewalls integrally extending upwardly from the frame (24). Accordingly, claims 13 is believed to be patentable, and should be allowable. The dependant claims 14-16 should also be allowable.

It is noted that Applicant reinstates claims 6-7 and 17 which were mistakenly withdrawn from the instant application in the last response. It is because that in the previous office action dated 09/09/2004, the Examiner seemed to regard the term "polygon" should NOT include the figure composed of four sides by raising the 112 rejection. Anyhow, according to the dictionary, polygon is a closed plane figure bounded by three or more line segments. Under this definition, claims 6-7 and 17 should be reinstated without the 112 rejection issue.

On the other hand, according to the first office action dated 05/27/2004, Applicant is qualified to reinstate the non-elected species once a generic claim is allowed. Now, claims 3 and 13 are generic. Applicant respectfully requests that if the Examiner agrees with allowabilities of claims 3 and 13 as argued in this response, please reinstate the withdrawn non-elected species claims, i.e., claims 8-9 and 18-20, before issue Notice of Allowance.

In view of the foregoing, the subject application as claimed in the pending claims is in a condition for allowance and an action to such effect is earnestly solicited. The Examiner is invited to call the undersigned to solve any problems, if any, so as not to necessitate extension.

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